

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : KUFER, et al.

Art Unit : 1642

Serial No. : 09/744,625

Examiner : Yu, M. Ph.D.

Filed : July 16, 2001

Title : HETEROMINIBODIES

Assistant Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-14501

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9/15/03

RESPONSE TO OFFICE COMMUNICATION

In response to the Detailed Action mailed May 20, 2003, in connection with the above-identified application, the time to reply having been extended to August 20, 2003, by petition and fee under 37 C.F.R. §1.136(a), Applicants hereby elect the product having the following molecular structure, readable upon by Claims 1, 2, 5, 6, 7, 8, 9, 11, 19, 20, 21, 22, 33, 34, 35, 40:

HD70 V_L - 14 to 25 amino acid linker - HD70 V_H - arbitrary Ig hinge region - C_κ or C_{H1}

B7 - arbitrary Ig hinge region - C_κ or C_{H1}

Support for the multifunctional compound having the molecular structure shown above, with an antigen-binding region specific for a tumor antigen and a T-cell costimulatory ligand region, is found throughout the specification, in particular on page 11 at lines 14-8. Support for an antigen-binding region comprising HD70 V_L and HD70 V_H regions of the HD70 human anti-human EpCAM antibody is found on page 12 at lines 14-15, and on page 16, lines 3-5. Support for the T-cell costimulatory ligand region is found throughout the specification, in particular on page 11 at lines 19-31, and support for a T-cell costimulatory ligand region comprising members of the B7 family of proteins is found on page 11 at line 31 and page 12 at lines 23-25. Support for multifunctional compounds wherein polypeptides with receptor or ligand function are fused

Attorney's Docket N .: 009848 0276371

to C_L(of which C_K is one type) or C_{H1} via Ig hinge regions is found throughout the specification, in particular on page 11 at lines 6-10 and on page 15 at lines 16-26. Support for choice of constant domains C_K or C_{H1} is found throughout the specification, in particular on page 6 lines 16-22 and page 15 at lines 12-14.

CONCLUSION


Claims 1 to 27, 33, 34, 35, 40, and 41 have been elected and are currently pending in the present application, and a request for rejoinder of Group III, claims 36 to 39, is currently pending. The molecular structure disclosed above has been elected for further examination.

A petition and fee under 37 C.F.R. §1.136(a) for extension of time to reply is submitted herewith. Please charge any additional fees, or make any credits, to Deposit Account No. 50-2212.

Respectfully submitted,

Date:

August 20, 2003


Donna O. Perdue, Ph.D.
Reg. No. 51,166

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MATERIALS ENCLOSED:

- SUPPLEMENTAL RESPONSE TO OFFICE COMMUNICATION (2 pages)
- COURTESY COPY OF PREVIOUS RESPONSE FILED AUGUST 20, 2003 (6 pages)

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I hereby certify that this SUPPLEMENTAL RESPONSE TO OFFICE COMMUNICATION is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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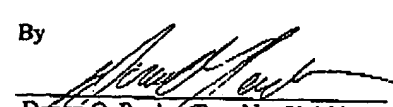
Date Aug 26 2003

C# 009848 / M# 0276371

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: KUFER, et al.
Application No.: 09/744,625
Filing Date: July 16, 2001
Art Unit 1642
Examiner Yu, M. Ph.D.
For: HETEROMINIBODIES

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(I hereby certify under 37 C.F.R. §1.8, that this
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(ATTN: Dr. MISOOK YU
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(By
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(Donna O. Perdue, Reg. No. 51,166
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(Aug 26, 2003
(August 26, 2003
(

Assistant Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-14501

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SUPPLEMENTAL RESPONSE TO OFFICE COMMUNICATION

OFFICIAL

This Supplemental Response is in response to the Detailed Action mailed May 20, 2003, in connection with the above-identified application. A Response to the Detailed Action was previously filed on August 20, 2003, the time to reply having been extended by petition and fee under 37 C.F.R. §1.136(a). Applicants request that the present Supplemental Response be entered into the record, superceding the previous Response filed August 20, 2003. A courtesy copy of the previous Response is attached after the signature page.

By this Supplemental Response, Applicants hereby elect the product having the following molecular structure, readable upon by Claims 1, 2, 5, 6, 7, 8, 9, 11, 19, 20, 21, 22, 33, 34, 35, 40:

Anti-EpCAM V_L - 14-25 amino acid linker - anti-EpCAM V_H - arbitrary Ig hinge region - C_κ or C_{H1}

B7 - arbitrary Ig hinge region - C_κ or C_{H1}

Support for the multifunctional compound having the molecular structure shown above, with an antigen-binding region specific for a tumor antigen and a T-cell costimulatory ligand region, is found throughout the specification, in particular on page 11 at lines 14-8. Support for an antigen-binding region comprising the anti-EpCAM V_L and anti-EpCAM V_H regions of anti-

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EpCAM antibody is found on page 12 at lines 14-15, and on page 16, lines 3-5. Support for the T-cell costimulatory ligand region is found throughout the specification, in particular on page 11 at lines 19-31, and support for a T-cell costimulatory ligand region comprising members of the B7 family of proteins is found on page 11 at line 31 and page 12 at lines 23-25. Support for multifunctional compounds wherein polypeptides with receptor or ligand function are fused to C_L (of which C_K is one type) or C_{H1} via Ig hinge regions is found throughout the specification, in particular on page 11 at lines 6-10 and on page 15 at lines 16-26. Support for choice of constant domains C_K or C_{H1} is found throughout the specification, in particular on page 6 lines 16-22 and page 15 at lines 12-14.

CONCLUSION

Claims 1 to 27, 33, 34, 35, 40, and 41 have been elected and are currently pending in the present application, and a request for rejoinder of Group III, claims 36 to 39, is currently pending. The molecular structure disclosed above has been elected for further examination.

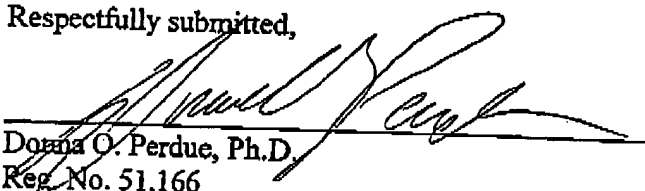
Please enter the present Supplemental Response into the record of this application. The molecular structure disclosed in the present Supplemental Response supercedes the molecular structure disclosed in the previous Response filed August 20, 2003.

A petition and fee under 37 C.F.R. §1.136(a) for extension of time to reply was submitted with the previous Response filed August 20, 2003 (see attached courtesy copy). Please charge any additional fees to Deposit Account No. 50-2212.

If the Examiner has any questions about this communication, she is encouraged to contact the Applicant's attorney at (858) 509-4093.

Respectfully submitted,

Date: August 26, 2003


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Attorney Docket No. 009848-0276371

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: KUFER, et al.
Application No.: 09/744,625
Filing Date: July 16, 2001
For: HETEROMINIBODIES

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. §1.8, that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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Director of Patents
U.S. Patent and Trademark Office
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Karyn F. Massie
Karyn F. Massie

August 20, 2003
Date

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
Washington D.C., 20231

Sir:

Transmitted herewith for filing are the following:

1. Reply/Amendment/Letter (in duplicate);
2. Response to Office Communication (2 Pages); and
3. Return Postcard.

The Commissioner is hereby authorized to charge any fee, including any submitted herewith, if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its

entire pendency to or to credit any overpayment to Deposit Account 50-2212.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date:

Aug 10, 2005

By

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08-26-03 04:25pm From-PILLSBURY WINTHROP CARMEL VLY.

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hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

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